

ASSISTANT SECRETARY OF DEFENSE
Washington 25, D. C.

20 November 1952

MEMORANDUM FOR THE SECRETARY

SUBJECT: Tightened Security Legislation

In mid-October you advised me that the President had approved a suggestion made by you to the effect that we should propose legislation designed to put teeth in breaches of security, particularly with respect to employees passing on classified information to an intermediary for the use of a newspaper column, with the possibility of proceeding criminally against our employee, the intermediary, the columnist, and the newspaper. On examination of the matter by my legislative staff, I find that much has already been undertaken in that field by the Department of Justice, and that we probably would be much better off supporting the proposal being processed by the Justice Department than to start in and cover the same tracks ourselves.

Actually, at this moment Justice has gone so far as to prepare a draft of bill which they are ready to submit to the Budget Bureau, and which would amend the basic statutes in this respect so as to make doubly sure that individuals who willfully publish or cause to be published certain national defense information will be subject to penalties. My staff has developed in informal conferences that it is the opinion of the Department of Justice that the present law now contains adequate authority for the prosecution of the intermediary, the columnist and the newspaper, but they are proposing a revision to amend the existing law to put some teeth in the existing authorizations and make crystal clear what may have been heretofore considered as somewhat vague language. There is attached hereto the draft of proposed bill Justice now has under consideration. You will note the underlined language on lines 12 and 13 and can see from it the proposed additional language.

It looks probably as though the present law is fairly adequate, and will be quite definitely all that is needed if the proposed Justice amendment is enacted. Probably the past trouble has been the lack of a central heart or focal point from which the insistence on prosecution should have come after the offenses were committed, because, being isolated from regular justice supervision, or being seemingly little leaks here and there outside normal Justice fields of endeavor, and sometimes being accidental leaks by quite important government officials, there just was nobody to push for prosecution.

In view of the above, should we still go forward with legislation? Or, would you prefer a letter for your signature to the Justice Department urging strong efforts to get their proposed bill enacted? For myself, I would suggest the latter course. ✓OK RL

/s/ Charles A. Coolidge

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